

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JACK NORTON,

Plaintiff,

-against-

CITY OF NEW YORK, ET AL.,

Defendants.

**STIPULATION OF
SETTLEMENT OF
ATTORNEY'S FEES,
EXPENSES, AND COSTS**

21-CV-4884 (FB) (JRC)

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WHEREAS, plaintiff Jack Norton commenced this action by filing a complaint on or about August 31, 2021, alleging that defendants City of New York, Bill de Blasio, Dermot Shea, Terence Monahan, Jonathan Warfield, and Bilal Ates violated plaintiff's federal civil and state common law rights; and

WHEREAS, defendants City of New York, Bill de Blasio, Dermot Shea, Terence Monahan, and Jonathan Warfield served plaintiff with an Offer of Judgment pursuant to Fed. R. Civ. P. 68 on September 1, 2022; and

WHEREAS, plaintiff accepted defendants City of New York, Bill de Blasio, Dermot Shea, Terence Monahan, and Jonathan Warfield's Rule 68 Offer of Judgment on September 13, 2022; and

WHEREAS, all defendants deny any and all liability arising out of plaintiff's allegations; and

WHEREAS, plaintiff's counsel represents that plaintiff has assigned all of plaintiff's rights to attorneys' fees, expenses, and costs to plaintiff's counsel, Cohen&Green P.L.L.C.; and

WHEREAS, counsel for defendants City of New York, Bill de Blasio, Dermot Shea, Terence Monahan, and Jonathan Warfield and counsel for plaintiff now desire to resolve the issue of attorneys' fees, expenses, and costs without further proceedings;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York hereby agrees to pay plaintiff's counsel, Cohen&Green P.L.L.C. the total sum of Forty-One Thousand (\$41,000.00) Dollars in full satisfaction of plaintiff's claims for attorneys' fees, expenses, and costs. In consideration for the payment of Forty-One Thousand (\$41,000.00) Dollars, counsel for plaintiff agrees to release and discharge defendants City of New York, Bill de Blasio, Dermot Shea, Terence Monahan, and Jonathan Warfield; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses, and costs that were or could have been alleged in the aforementioned action.

2. Counsel for plaintiff hereby agrees and represents that no other claims for attorneys' fees, expenses, or costs arising out of this action shall be made by or on behalf of plaintiff in any application for attorneys' fees, expenses, or costs at any time.

3. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules or regulations of any department or subdivision of the City of New York. This stipulation shall not

be admissible in, nor is it related to, any other litigation or settlement negotiations, except to enforce the terms of this agreement.

4. This Stipulation contains all the terms and conditions agreed upon by counsel for defendants City of New York, Bill de Blasio, Dermot Shea, Terence Monahan, and Jonathan Warfield and counsels for plaintiff hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation regarding the subject matter of attorneys' fees, expenses, or costs shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York
April 3, 2023


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